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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CAPITAL TRUST, INC.,

Plaintiff,

No. C 09-02492 JSW

v.

**ORDER RE HEARING ON
MOTIONS**

WALTER R. LEMBI, et al.,

Defendants.

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This matter is set for a hearing on January 28, 2011, on a motion to intervene and two motions for summary judgment. This matter was scheduled for a mediation hearing on January 11, 2011, but upon review of the Court's docket, the mediation has been rescheduled to January 24, 2011. The Court previously continued the hearing on these motions in light of the pending mediation hearing, without input from the parties. It is HEREBY ORDERED that if any party, or the proposed intervenors, seek to continue the January 28, 2011 hearing, they shall submit a request to the Court by no later than January 19, 2011. Any opposition to the request shall be due by no later than January 21, 2011. If the parties agree that the hearing should be continued in light of the mediation, they may submit a stipulation and proposed order to that effect by no later than January 21, 2011. Barring a request to continue the hearing, the matter shall remain on calendar on January 28, 2011, unless the Court finds the matter suitable for disposition without oral argument.

IT IS SO ORDERED.

Dated: January 13, 2011

Jeffrey S. White

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE